

(c) Required initial evaluation

The Secretary and Secretary of the Treasury shall jointly conduct an evaluation, in consultation with the Office of Management and Budget, the Congressional Budget Office, and the Comptroller General, of the pilot program carried out by the Secretary under this section. The evaluation shall determine—

(1) the extent of the savings to the Federal Government that are generated through the pilot program, compared to the cost the Federal Government would have incurred in operating the PLUS loan program under section 1078-2 of this title in the absence of the pilot program;

(2) the number of lenders that participated in the pilot program, and the extent to which the pilot program generated competition among lenders to participate in the auctions under the pilot program;

(3) the number and volume of loans made under the pilot program in each State;

(4) the effect of the transition to and operation of the pilot program on the ability of—

(A) lenders participating in the pilot program to originate loans made through the pilot program smoothly and efficiently;

(B) institutions of higher education participating in the pilot program to disburse loans made through the pilot program smoothly and efficiently; and

(C) parents to obtain loans made through the pilot program in a timely and efficient manner;

(5) the differential impact, if any, of the auction among the States, including between rural and non-rural States; and

(6) the feasibility of using the mechanism piloted to operate the other loan programs under part B of this subchapter.

(d) Reports**(1) In general**

The Secretary and the Secretary of the Treasury shall submit to the authorizing committees—

(A) not later than September 1, 2010, a preliminary report regarding the findings of the evaluation described in subsection (c);

(B) not later than September 1, 2012, an interim report regarding such findings; and

(C) not later than September 1, 2013, a final report regarding such findings.

(2) Contents

The Secretary shall include, in each report required under subparagraphs (A), (B), and (C) of paragraph (1), any recommendations, that are based on the findings of the evaluation under subsection (c), for—

(A) improving the operation and administration of the auction; and

(B) improving the operation and administration of other loan programs under part B.

(Pub. L. 89-329, title IV, § 499, as added Pub. L. 110-84, title VII, § 701, Sept. 27, 2007, 121 Stat. 808; amended Pub. L. 110-315, title IV, § 499, Aug. 14, 2008, 122 Stat. 3328.)

AMENDMENTS

2008—Subsec. (b)(3)(B)(iii). Pub. L. 110-315, § 499(1)(A), added cl. (iii).

Subsec. (b)(3)(G). Pub. L. 110-315, § 499(1)(B), added subpar. (G) and struck out former subpar. (G). Text of former subpar. (G) read as follows: “Each eligible lender having a winning bid under subparagraph (F) enters into an agreement with the Secretary under which the eligible lender—

“(i) agrees to originate eligible Federal PLUS Loans under this paragraph to each borrower who—

“(I) seeks an eligible Federal PLUS Loan under this paragraph to enable a dependent student to attend an institution of higher education within the State;

“(II) is eligible for an eligible Federal PLUS Loan; and

“(III) elects to borrow from the eligible lender; and

“(ii) agrees to accept a special allowance payment (after the application of section 1087-1(b)(2)(I)(v) of this title) from the Secretary with respect to the eligible Federal PLUS Loans originated under clause (i) in the amount proposed in the second lowest winning bid described in subparagraph (F) for the applicable State auction.”

Subsec. (b)(3)(J). Pub. L. 110-315, § 499(1)(C), added subpar. (J) and struck out former subpar. (J). Text of former subpar. (J) read as follows: “The Secretary guarantees the eligible Federal PLUS Loans made under this paragraph against losses resulting from the default of a parent borrower in an amount equal to 99 percent of the unpaid principal and interest due on the loan.”

Subsecs. (c), (d). Pub. L. 110-315, § 499(2), added subsecs. (c) and (d).

EFFECTIVE DATE

Section effective Oct. 1, 2007, see section 1(c) of Pub. L. 110-84, set out as an Effective Date of 2007 Amendment note under section 1070a of this title.

PART I—TRANSFERRED**CODIFICATION**

Part J of title IV of Pub. L. 89-329, comprising this part, was redesignated part F of title III of Pub. L. 89-329 by Pub. L. 110-315, title III, § 316(a)(2), Aug. 14, 2008, 122 Stat. 3185, and transferred to part F (§ 1067q) of subchapter III of this chapter.

§ 1099e. Transferred**CODIFICATION**

Section, Pub. L. 89-329, title IV, § 499A, as added Pub. L. 110-84, title VIII, § 802, Sept. 27, 2007, 121 Stat. 817, which related to investment in historically Black colleges and universities and other minority-serving institutions, was transferred to section 1067q of this title.

SUBCHAPTER V—DEVELOPING INSTITUTIONS**CODIFICATION**

Title V of the Higher Education Act of 1965, comprising this subchapter, was originally enacted by Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1254; amended Pub. L. 90-35, June 29, 1967, 81 Stat. 81; Pub. L. 90-83, Sept. 11, 1967, 81 Stat. 195; Pub. L. 90-247, Jan. 2, 1968, 81 Stat. 783; Pub. L. 90-575, Oct. 16, 1968, 82 Stat. 1014; Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 121; Pub. L. 92-318, June 23, 1972, 86 Stat. 235; Pub. L. 93-380, Aug. 21, 1974, 88 Stat. 484; Pub. L. 94-482, Oct. 12, 1976, 90 Stat. 2081; Pub. L. 95-43, June 15, 1977, 91 Stat. 213; Pub. L. 95-561, Nov. 1, 1978, 92 Stat. 2143; Pub. L. 96-49, Aug. 13, 1979, 93 Stat. 351; Pub. L. 96-88, Oct. 17, 1979, 93 Stat. 668; Pub. L. 96-374, Oct. 3, 1980, 94 Stat. 1367; Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 357; Pub. L. 97-300, Oct. 13, 1982, 96 Stat. 1322; Pub. L. 98-558, Oct. 30, 1984, 98 Stat. 2878; Pub. L. 99-386, Aug. 22, 1986, 100 Stat. 821; Pub. L. 99-498, Oct. 17, 1986, 100 Stat. 1268; Pub. L. 100-50, June 3, 1987, 101 Stat. 335; Pub. L. 101-226, Dec. 12, 1989, 103 Stat. 1928; Pub. L. 102-325, July

23, 1992, 106 Stat. 448; Pub. L. 103–208, Dec. 20, 1993, 107 Stat. 2457; Pub. L. 103–227, Mar. 31, 1994, 108 Stat. 125; Pub. L. 103–382, Oct. 20, 1994, 108 Stat. 3518. Title V is shown herein, however, as having been added by Pub. L. 105–244, title V, § 501, Oct. 7, 1998, 112 Stat. 1765, without reference to those intervening amendments because of the extensive revision of title V by Pub. L. 105–244.

PART A—HISPANIC-SERVING INSTITUTIONS

PRIOR PROVISIONS

A prior part A consisted of sections 1102 to 1102j and related to State and local programs for teacher excellence prior to the general amendment of this subchapter by Pub. L. 105–244.

§ 1101. Findings; purpose; and program authority

(a) Findings

Congress makes the following findings:

(1) Hispanic Americans are at high risk of not enrolling or graduating from institutions of higher education.

(2) Disparities between the enrollment of non-Hispanic white students and Hispanic students in postsecondary education are increasing. Between 1973 and 1994, enrollment of white secondary school graduates in 4-year institutions of higher education increased at a rate two times higher than that of Hispanic secondary school graduates.

(3) Despite significant limitations in resources, Hispanic-serving institutions provide a significant proportion of postsecondary opportunities for Hispanic students.

(4) Relative to other institutions of higher education, Hispanic-serving institutions are underfunded. Such institutions receive significantly less in State and local funding, per full-time equivalent student, than other institutions of higher education.

(5) Hispanic-serving institutions are succeeding in educating Hispanic students despite significant resource problems that—

(A) limit the ability of such institutions to expand and improve the academic programs of such institutions; and

(B) could imperil the financial and administrative stability of such institutions.

(6) There is a national interest in remedying the disparities described in paragraphs (2) and (4) and ensuring that Hispanic students have an equal opportunity to pursue postsecondary opportunities.

(b) Purpose

The purpose of this subchapter is to—

(1) expand educational opportunities for, and improve the academic attainment of, Hispanic students; and

(2) expand and enhance the academic offerings, program quality, and institutional stability of colleges and universities that are educating the majority of Hispanic college students and helping large numbers of Hispanic students and other low-income individuals complete postsecondary degrees.

(c) Program authority

The Secretary shall provide grants and related assistance to Hispanic-serving institutions to enable such institutions to improve and expand their capacity to serve Hispanic students and other low-income individuals.

(Pub. L. 89–329, title V, § 501, as added Pub. L. 105–244, title V, § 501, Oct. 7, 1998, 112 Stat. 1765.)

PRIOR PROVISIONS

A prior section 1101, Pub. L. 89–329, title V, § 500, as added Pub. L. 102–325, title V, § 501(a), July 23, 1992, 106 Stat. 653, set forth findings of Congress and purpose of this subchapter, prior to the general amendment of this subchapter by Pub. L. 105–244.

Another prior section 1101, Pub. L. 89–329, title V, § 501, as added Pub. L. 99–498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1495, related to statement of purpose and applicability of this subchapter, prior to the general amendment of this subchapter by Pub. L. 102–325.

Another prior section 1101, Pub. L. 89–329, title V, § 511, Nov. 8, 1965, 79 Stat. 1255; Pub. L. 90–35, § 3(a)(3), (b), June 29, 1967, 81 Stat. 85; Pub. L. 90–575, title II, § 231(a), (b)(1), Oct. 16, 1968, 82 Stat. 1039; Pub. L. 91–230, title VIII, §§ 804(b), 805(a), Apr. 13, 1970, 84 Stat. 190, 191; Pub. L. 92–318, title I, § 141(a)(1)(A), (c)(1)(C), June 23, 1972, 86 Stat. 284, 285; Pub. L. 93–380, title VIII, § 835(a)(1), Aug. 21, 1974, 88 Stat. 605; Pub. L. 94–482, title I, §§ 151(a)(5)(A), 152(a), Oct. 12, 1976, 90 Stat. 2152; Pub. L. 96–49, § 6(a), Aug. 13, 1979, 93 Stat. 353; Pub. L. 96–374, title V, § 501(a), Oct. 3, 1980, 94 Stat. 1459, set forth statement of purpose and authorization of appropriations for Teacher Corps program, prior to repeal by Pub. L. 97–35, title V, § 587(a)(2), Aug. 13, 1981, 95 Stat. 480, eff. Oct. 1, 1982.

A prior section 501 of Pub. L. 89–329 was classified to section 1102 of this title prior to the general amendment of this subchapter by Pub. L. 105–244.

Another prior section 501 of Pub. L. 89–329 was classified to section 1091 of this title prior to repeal by Pub. L. 94–482.

EFFECTIVE DATE

Subchapter effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105–244, see section 3 of Pub. L. 105–244, set out as an Effective Date of 1998 Amendment note under section 1001 of this title.

NATIONAL JOB BANK FOR TEACHER RECRUITMENT

Pub. L. 102–325, title XIV, § 1412, July 23, 1992, 106 Stat. 822, authorized Secretary of Education to conduct study on feasibility of establishing national and regional clearinghouses to operate national and regional teacher job banks and to contract one or more entities to establish a national or regional teacher job bank clearinghouse, prior to repeal by Pub. L. 105–332, § 6(b)(2), Oct. 31, 1998, 112 Stat. 3128.

TRAINING AND TECHNICAL ASSISTANCE FOR SCHOOL-BASED DECISIONMAKERS DEMONSTRATION PROGRAM

Pub. L. 102–325, title XV, § 1531, July 23, 1992, 106 Stat. 834, authorized Secretary of Education to make grants to local education agencies, in consortia with one or more institutions of higher education, to establish programs to provide training and technical assistance to school-based decisionmakers in local education agencies implementing system-wide reform, prior to repeal by Pub. L. 105–332, § 6(b)(3), Oct. 31, 1998, 112 Stat. 3128.

§ 1101a. Definitions; eligibility

(a) Definitions

For the purpose of this subchapter:

(1) Educational and general expenditures

The term “educational and general expenditures” means the total amount expended by an institution for instruction, research, public service, academic support (including library expenditures), student services, institutional support, scholarships and fellowships, operation and maintenance expenditures for the physical plant, and any mandatory transfers that the institution is required to pay by law.

(2) Eligible institution

The term “eligible institution” means—

(A) an institution of higher education—

(i) that has an enrollment of needy students as required by subsection (b) of this section;

(ii) except as provided in section 1103a(b) of this title, the average educational and general expenditures of which are low, per full-time equivalent undergraduate student, in comparison with the average educational and general expenditures per full-time equivalent undergraduate student of institutions that offer similar instruction;

(iii) that is—

(I) legally authorized to provide, and provides within the State, an educational program for which the institution awards a bachelor’s degree; or

(II) a junior or community college;

(iv) that is accredited by a nationally recognized accrediting agency or association determined by the Secretary to be reliable authority as to the quality of training offered or that is, according to such an agency or association, making reasonable progress toward accreditation;

(v) that meets such other requirements as the Secretary may prescribe; and

(vi) that is located in a State; and

(B) any branch of any institution of higher education described under subparagraph (A) that by itself satisfies the requirements contained in clauses (i) and (ii) of such subparagraph.

For purposes of the determination of whether an institution is an eligible institution under this paragraph, the factor described under subparagraph (A)(i) shall be given twice the weight of the factor described under subparagraph (A)(ii).

(3) Endowment fund

The term “endowment fund” means a fund that—

(A) is established by State law, by a Hispanic-serving institution, or by a foundation that is exempt from Federal income taxation;

(B) is maintained for the purpose of generating income for the support of the institution; and

(C) does not include real estate.

(4) Full-time equivalent students

The term “full-time equivalent students” means the sum of the number of students enrolled full time at an institution, plus the full-time equivalent of the number of students enrolled part time (determined on the basis of the quotient of the sum of the credit hours of all part-time students divided by 12) at such institution.

(5) Hispanic-serving institution

The term “Hispanic-serving institution” means an institution of higher education that—

(A) is an eligible institution; and

(B) has an enrollment of undergraduate full-time equivalent students that is at least

25 percent Hispanic students at the end of the award year immediately preceding the date of application.

(6) Junior or community college

The term “junior or community college” means an institution of higher education—

(A) that admits as regular students persons who are beyond the age of compulsory school attendance in the State in which the institution is located and who have the ability to benefit from the training offered by the institution;

(B) that does not provide an educational program for which the institution awards a bachelor’s degree (or an equivalent degree); and

(C) that—

(i) provides an educational program of not less than 2 years in duration that is acceptable for full credit toward such a degree; or

(ii) offers a 2-year program in engineering, mathematics, or the physical or biological sciences, designed to prepare a student to work as a technician or at the semiprofessional level in engineering, scientific, or other technological fields requiring the understanding and application of basic engineering, scientific, or mathematical principles of knowledge.

(b) Enrollment of needy students

For the purpose of this subchapter, the term “enrollment of needy students” means an enrollment at an institution with respect to which—

(1) at least 50 percent of the degree students so enrolled are receiving need-based assistance under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42 in the second fiscal year preceding the fiscal year for which the determination is made (other than loans for which an interest subsidy is paid pursuant to section 1078 of this title); or

(2) a substantial percentage of the students so enrolled are receiving Federal Pell Grants in the second fiscal year preceding the fiscal year for which the determination is made, compared to the percentage of students receiving Federal Pell Grants at all such institutions in the second fiscal year preceding the fiscal year for which the determination is made, unless the requirement of this paragraph is waived under section 1103a(a) of this title.

(Pub. L. 89-329, title V, § 502, as added Pub. L. 105-244, title V, § 501, Oct. 7, 1998, 112 Stat. 1766; amended Pub. L. 108-375, div. A, title X, § 1087, Oct. 28, 2004, 118 Stat. 2066; Pub. L. 109-292, § 4(a), Sept. 30, 2006, 120 Stat. 1341; Pub. L. 110-315, title V, § 502(b)(1), Aug. 14, 2008, 122 Stat. 3333; Pub. L. 111-39, title V, § 501, July 1, 2009, 123 Stat. 1953.)

PRIOR PROVISIONS

A prior section 1101a, Pub. L. 89-329, title V, § 502, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1496, authorized appropriations for this subchapter, prior to the general amendment of this subchapter by Pub. L. 102-325.

A prior section 502 of Pub. L. 89-329 was classified to section 1102a of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 502 of Pub. L. 89-329 was classified to section 1091a of this title, prior to repeal by Pub. L. 94-482.

AMENDMENTS

2009—Subsec. (b)(2). Pub. L. 111-39 substituted “for which the determination is made, compared to” for “for which determination is made, compared to”.

2008—Subsecs. (a)(2)(A)(ii), (b)(2). Pub. L. 110-315 made technical amendment to reference in original act which appears in text as reference to section 1103a of this title.

2006—Subsec. (a)(5). Pub. L. 109-292, §4(a)(1), inserted “and” at end of subpar. (A), in subpar. (B), struck out “at the time of application,” before “has an enrollment”, substituted “at the end of the award year immediately preceding the date of application.” for “; and”, and struck out subpar. (C) which read as follows: “provides assurances that not less than 50 percent of the institution’s Hispanic students are low-income individuals, which assurances—

“(i) may employ statistical extrapolation using appropriate data from the Bureau of the Census or other appropriate Federal or State sources; and

“(ii) the Secretary shall consider as meeting the requirements of this subparagraph, unless the Secretary determines, based on a preponderance of the evidence, that the assurances do not meet the requirements.”

Subsec. (a)(7). Pub. L. 109-292, §4(a)(2), struck out par. (7) which defined “low-income individual”.

2004—Subsec. (a)(5)(C). Pub. L. 108-375 inserted “, which assurances—” and cls. (i) and (ii) before period at end.

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-39 effective as if enacted on the date of enactment of Pub. L. 110-315 (Aug. 14, 2008), see section 3 of Pub. L. 111-39, set out as a note under section 1001 of this title.

§ 1101b. Authorized activities

(a) Types of activities authorized

Grants awarded under this subchapter shall be used by Hispanic-serving institutions of higher education to assist the institutions to plan, develop, undertake, and carry out programs to improve and expand the institutions’ capacity to serve Hispanic students and other low-income students.

(b) Authorized activities

Grants awarded under this section shall be used for one or more of the following activities:

(1) Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes.

(2) Construction, maintenance, renovation, and improvement in classrooms, libraries, laboratories, and other instructional facilities.

(3) Support of faculty exchanges, faculty development, curriculum development, academic instruction, and faculty fellowships to assist in attaining advanced degrees in the fellow’s field of instruction.

(4) Purchase of library books, periodicals, and other educational materials, including telecommunications program material.

(5) Tutoring, counseling, and student service programs designed to improve academic success, including innovative and customized instruction courses (which may include remedial education and English language instruction) designed to help retain students and move the

students rapidly into core courses and through program completion.

(6) Articulation agreements and student support programs designed to facilitate the transfer from two-year to four-year institutions.

(7) Funds management, administrative management, and acquisition of equipment for use in strengthening funds management.

(8) Joint use of facilities, such as laboratories and libraries.

(9) Establishing or improving a development office to strengthen or improve contributions from alumni and the private sector.

(10) Establishing or improving an endowment fund.

(11) Creating or improving facilities for Internet or other distance education technologies, including purchase or rental of telecommunications technology equipment or services.

(12) Establishing or enhancing a program of teacher education designed to qualify students to teach in public elementary schools and secondary schools.

(13) Establishing community outreach programs that will encourage elementary school and secondary school students to develop the academic skills and the interest to pursue postsecondary education.

(14) Expanding the number of Hispanic and other underrepresented graduate and professional students that can be served by the institution by expanding courses and institutional resources.

(15) Providing education, counseling services, or financial information designed to improve the financial literacy and economic literacy of students or the students’ families, especially with regard to student indebtedness and student assistance programs under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42.

(16) Other activities proposed in the application submitted pursuant to section 1101c of this title that—

(A) contribute to carrying out the purposes of this subchapter; and

(B) are approved by the Secretary as part of the review and acceptance of such application.

(c) Endowment fund limitations

(1) Portion of grant

A Hispanic-serving institution may not use more than 20 percent of the grant funds provided under this subchapter for any fiscal year for establishing or improving an endowment fund.

(2) Matching required

A Hispanic-serving institution that uses any portion of the grant funds provided under this subchapter for any fiscal year for establishing or improving an endowment fund shall provide from non-Federal funds an amount equal to or greater than the portion.

(3) Comparability

The provisions of part C of subchapter III of this chapter regarding the establishment or increase of an endowment fund, that the Secretary determines are not inconsistent with

this subsection, shall apply to funds used under paragraph (1).

(Pub. L. 89-329, title V, § 503, as added Pub. L. 105-244, title V, § 501, Oct. 7, 1998, 112 Stat. 1768; amended Pub. L. 110-315, title V, § 501, Aug. 14, 2008, 122 Stat. 3331.)

PRIOR PROVISIONS

A prior section 503 of Pub. L. 89-329 was classified to section 1102b of this title prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 503 of Pub. L. 89-329 was classified to section 1091b of this title prior to repeal by Pub. L. 94-482.

AMENDMENTS

2008—Subsec. (b)(5). Pub. L. 110-315, § 501(2), inserted “, including innovative and customized instruction courses (which may include remedial education and English language instruction) designed to help retain students and move the students rapidly into core courses and through program completion” before period at end.

Subsec. (b)(6) to (16). Pub. L. 110-315, § 501(1), (3)–(5), added pars. (6) and (15), redesignated former pars. (6), (7), (8), (9), (10), (11), (12), (13), and (14) as pars. (7), (8), (9), (10), (11), (12), (13), (14), and (16), respectively, and in par. (11), substituted “distance education technologies” for “distance learning academic instruction capabilities”.

§ 1101c. Duration of grant

(a) Award period

The Secretary may award a grant to a Hispanic-serving institution under this subchapter for 5 years.

(b) Planning grants

Notwithstanding subsection (a) of this section, the Secretary may award a grant to a Hispanic-serving institution under this subchapter for a period of 1 year for the purpose of preparation of plans and applications for a grant under this subchapter.

(Pub. L. 89-329, title V, § 504, as added Pub. L. 105-244, title V, § 501, Oct. 7, 1998, 112 Stat. 1769; amended Pub. L. 109-292, § 4(b), Sept. 30, 2006, 120 Stat. 1341.)

PRIOR PROVISIONS

A prior section 504 of Pub. L. 89-329 was classified to section 1102c of this title prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 504 of Pub. L. 89-329 was classified to section 1091c of this title prior to repeal by Pub. L. 94-482.

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-292 reenacted heading without change and amended text generally. Prior to amendment, text read as follows:

“(1) IN GENERAL.—The Secretary may award a grant to a Hispanic-serving institution under this subchapter for 5 years.

“(2) WAITOUT PERIOD.—A Hispanic-serving institution shall not be eligible to secure a subsequent 5-year grant award under this subchapter until 2 years have elapsed since the expiration of the institution’s most recent 5-year grant award under this subchapter, except that for the purpose of this subsection a grant under section 1103c(a) of this title shall not be considered a grant under this subchapter.”

§ 1101d. Special rule

No Hispanic-serving institution that is eligible for and receives funds under this subchapter

may receive funds under part A or B of subchapter III of this chapter during the period for which funds under this subchapter are awarded.

(Pub. L. 89-329, title V, § 505, as added Pub. L. 105-244, title V, § 501, Oct. 7, 1998, 112 Stat. 1770.)

PRIOR PROVISIONS

A prior section 505 of Pub. L. 89-329 was classified to section 1102d of this title prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 505 of Pub. L. 89-329 was classified to section 1091d of this title prior to repeal by Pub. L. 94-482.

PART B—PROMOTING POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS

PRIOR PROVISIONS

A prior part B consisting of sections 1103 to 1103g was redesignated part C by Pub. L. 110-315, title V, § 502(a)(1), Aug. 14, 2008, 122 Stat. 3331.

Another prior part B consisted of sections 1103 to 1103g and related to National Teacher Academies prior to the general amendment of this subchapter by Pub. L. 105-244.

§ 1102. Purposes

The purposes of this part are—

(1) to expand postbaccalaureate educational opportunities for, and improve the academic attainment of, Hispanic students; and

(2) to expand the postbaccalaureate academic offerings and enhance the program quality in the institutions of higher education that are educating the majority of Hispanic college students and helping large numbers of Hispanic and low-income students complete postsecondary degrees.

(Pub. L. 89-329, title V, § 511, as added Pub. L. 110-315, title V, § 502(a)(3), Aug. 14, 2008, 122 Stat. 3331.)

PRIOR PROVISIONS

A prior section 1102, Pub. L. 89-329, title V, § 501, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 655, related to authority and allocation of funds and defined terms, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 1102, Pub. L. 89-329, title V, § 512, Nov. 8, 1965, 79 Stat. 1255; Pub. L. 90-35, § 3(a)(3), (4), June 29, 1967, 81 Stat. 85; Pub. L. 92-318, title I, § 142, June 23, 1972, 86 Stat. 286; Pub. L. 94-482, title I, § 151(a)(5)(B), Oct. 12, 1976, 90 Stat. 2152; Pub. L. 96-88, title III, § 301(b)(2), title V, § 508(l)(3), Oct. 17, 1979, 93 Stat. 677, 694; Pub. L. 96-374, title XIII, § 1391(a)(1), Oct. 3, 1980, 94 Stat. 1503, related to establishment and administration of program, prior to repeal by Pub. L. 97-35, title V, § 587(a)(2), Aug. 13, 1981, 95 Stat. 480, eff. Oct. 1, 1982.

A prior section 511 of Pub. L. 89-329 was renumbered section 521, and is classified to section 1103 of this title.

Another prior section 511 of Pub. L. 89-329 was classified to section 1103 of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 511 of Pub. L. 89-329 was classified to section 1103 of this title, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 511 of Pub. L. 89-329 was classified to section 1101 of this title, prior to repeal by Pub. L. 97-35.

§ 1102a. Program authority and eligibility

(a) Program authorized

Subject to the availability of funds appropriated to carry out this part, the Secretary

shall award grants, on a competitive basis, to eligible institutions to enable the eligible institutions to carry out the authorized activities described in section 1102b of this title.

(b) Eligibility

For the purposes of this part, an “eligible institution” means an institution of higher education that—

- (1) is a Hispanic-serving institution (as defined in section 1101a of this title); and
- (2) offers a postbaccalaureate certificate or postbaccalaureate degree granting program.

(Pub. L. 89-329, title V, § 512, as added Pub. L. 110-315, title V, § 502(a)(3), Aug. 14, 2008, 122 Stat. 3332.)

PRIOR PROVISIONS

A prior section 1102a, Pub. L. 89-329, title V, § 502, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 656, related to State applications for allotments, prior to the general amendment of this subchapter by Pub. L. 105-244.

A prior section 512 of Pub. L. 89-329 was renumbered section 522, and is classified to section 1103a of this title.

Another prior section 512 of Pub. L. 89-329 was classified to section 1103a of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 512 of Pub. L. 89-329 was classified to section 1103a of this title, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 512 of Pub. L. 89-329 was classified to section 1102 of this title, prior to repeal by Pub. L. 97-35.

§ 1102b. Authorized activities

Grants awarded under this part shall be used for one or more of the following activities:

- (1) Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes.
- (2) Construction, maintenance, renovation, and improvement of classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services.
- (3) Purchase of library books, periodicals, technical and other scientific journals, microfilm, microfiche, and other educational materials, including telecommunications program materials.
- (4) Support for low-income postbaccalaureate students including outreach, academic support services, mentoring, scholarships, fellowships, and other financial assistance to permit the enrollment of such students in postbaccalaureate certificate and postbaccalaureate degree granting programs.
- (5) Support of faculty exchanges, faculty development, faculty research, curriculum development, and academic instruction.
- (6) Creating or improving facilities for Internet or other distance education technologies, including purchase or rental of telecommunications technology equipment or services.
- (7) Collaboration with other institutions of higher education to expand postbaccalaureate certificate and postbaccalaureate degree offerings.
- (8) Other activities proposed in the application submitted pursuant to section 1102c of this title that—

(A) contribute to carrying out the purposes of this part; and

(B) are approved by the Secretary as part of the review and acceptance of such application.

(Pub. L. 89-329, title V, § 513, as added Pub. L. 110-315, title V, § 502(a)(3), Aug. 14, 2008, 122 Stat. 3332.)

PRIOR PROVISIONS

A prior section 1102b, Pub. L. 89-329, title V, § 503, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 658, related to local applications and use of funds, prior to the general amendment of this subchapter by Pub. L. 105-244.

A prior section 513 of Pub. L. 89-329 was renumbered section 523, and is classified to section 1103b of this title.

Another prior section 513 of Pub. L. 89-329 was classified to section 1103b of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 513 of Pub. L. 89-329 was classified to section 1103b of this title, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 513 of Pub. L. 89-329 was classified to section 1103 of this title, prior to repeal by Pub. L. 97-35.

§ 1102c. Application and duration

(a) Application

Any eligible institution may apply for a grant under this part by submitting an application to the Secretary at such time and in such manner as the Secretary may require. Such application shall demonstrate how the grant funds will be used to improve postbaccalaureate education opportunities for Hispanic and low-income students.

(b) Duration

Grants under this part shall be awarded for a period not to exceed five years.

(c) Limitation

The Secretary may not award more than one grant under this part in any fiscal year to any Hispanic-serving institution.

(Pub. L. 89-329, title V, § 514, as added Pub. L. 110-315, title V, § 502(a)(3), Aug. 14, 2008, 122 Stat. 3332.)

PRIOR PROVISIONS

A prior section 1102c, Pub. L. 89-329, title V, § 504, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 661, related to State uses of funds, prior to the general amendment of this subchapter by Pub. L. 105-244.

A prior section 514 of Pub. L. 89-329 was renumbered section 524, and is classified to section 1103c of this title.

Another prior section 514 of Pub. L. 89-329 was classified to section 1103c of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 514 of Pub. L. 89-329 was classified to section 1103c of this title, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 514 of Pub. L. 89-329 was classified to section 1104 of this title, prior to repeal by Pub. L. 97-35.

Prior sections 1102d to 1102j were omitted in the general amendment of this subchapter by Pub. L. 105-244.

Section 1102d, Pub. L. 89-329, title V, § 505, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 663; amended Pub. L. 103-208, § 2(j)(1), Dec. 20, 1993, 107 Stat. 2480, related to State Academies for teachers.

Section 1102e, Pub. L. 89-329, title V, § 506, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 666, related to State Academies for school leaders.

Section 1102f, Pub. L. 89-329, title V, § 507, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 669, related to uses of funds by institutions of higher education.

Section 1102g, Pub. L. 89-329, title V, § 508, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 670, related to professional development academies.

Section 1102h, Pub. L. 89-329, title V, § 509, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 673, required that Federal funds supplement, not supplant, regular non-Federal funds.

Section 1102i, Pub. L. 89-329, title V, § 510, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 673, related to coordination with other programs.

Section 1102j, Pub. L. 89-329, title V, § 510A, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 674, authorized appropriations for State and local programs for teacher excellence.

PART C—GENERAL PROVISIONS

CODIFICATION

Pub. L. 110-315, title V, § 502(a)(1), Aug. 14, 2008, 122 Stat. 3331, redesignated part B of this subchapter as part C of this subchapter.

PRIOR PROVISIONS

A prior part C consisted of sections 1104 to 1104k and related to teacher scholarships and fellowships prior to the general amendment of this subchapter by Pub. L. 105-244.

§ 1103. Eligibility; applications

(a) Institutional eligibility

Each Hispanic-serving institution desiring to receive assistance under this subchapter shall submit to the Secretary such enrollment data as may be necessary to demonstrate that the institution is a Hispanic-serving institution as defined in section 1101a of this title, along with such other data and information as the Secretary may by regulation require.

(b) Applications

(1) Applications required

Any institution which is eligible for assistance under this subchapter shall submit to the Secretary an application for assistance at such time, in such form, and containing such information, as may be necessary to enable the Secretary to evaluate the institution's need for assistance. Subject to the availability of appropriations to carry out this subchapter, the Secretary may approve an application for a grant under this subchapter only if the Secretary determines that—

(A) the application meets the requirements of subsection (c) of this section; and

(B) the institution is eligible for assistance in accordance with the provisions of this subchapter under which the assistance is sought.

(2) Preliminary applications

In carrying out paragraph (1), the Secretary may develop a preliminary application for use by Hispanic-serving institutions applying under this subchapter prior to the submission of the principal application.

(c) Contents

A Hispanic-serving institution, in the institution's application for a grant, shall—

(1) set forth, or describe how the institution will develop, a comprehensive development plan to strengthen the institution's academic quality and institutional management, and otherwise provide for institutional self-sufficiency and growth (including measurable objectives for the institution and the Secretary to use in monitoring the effectiveness of activities under this subchapter);

(2) include a 5-year plan for improving the assistance provided by the Hispanic-serving institution to Hispanic students and other low-income individuals;

(3) set forth policies and procedures to ensure that Federal funds made available under this subchapter for any fiscal year will be used to supplement and, to the extent practical, increase the funds that would otherwise be made available for the purposes of section 1101(b) of this title, and in no case supplant those funds;

(4) set forth policies and procedures for evaluating the effectiveness in accomplishing the purpose of the activities for which a grant is sought under this subchapter;

(5) provide for such fiscal control and fund accounting procedures as may be necessary to ensure proper disbursement of and accounting for funds made available to the institution under this subchapter;

(6) provide that the institution will comply with the limitations set forth in section 1103e of this title;

(7) describe in a comprehensive manner any proposed project for which funds are sought under the application and include—

(A) a description of the various components of the proposed project, including the estimated time required to complete each such component;

(B) in the case of any development project that consists of several components (as described by the institution pursuant to subparagraph (A)), a statement identifying those components which, if separately funded, would be sound investments of Federal funds and those components which would be sound investments of Federal funds only if funded under this subchapter in conjunction with other parts of the development project (as specified by the institution);

(C) an evaluation by the institution of the priority given any proposed project for which funds are sought in relation to any other projects for which funds are sought by the institution under this subchapter, and a similar evaluation regarding priorities among the components of any single proposed project (as described by the institution pursuant to subparagraph (A));

(D) a detailed budget showing the manner in which funds for any proposed project would be spent by the institution; and

(E) a detailed description of any activity which involves the expenditure of more than \$25,000, as identified in the budget referred to in subparagraph (D);

(8) provide for making reports, in such form and containing such information, as the Secretary may require to carry out the Secretary's functions under this subchapter, including not less than one report annually set-

ting forth the institution's progress toward achieving the objectives for which the funds were awarded and for keeping such records and affording such access to such records, as the Secretary may find necessary to assure the correctness and verification of such reports; and

(9) include such other information as the Secretary may prescribe.

(d) Priority

With respect to applications for assistance under this section, the Secretary shall give priority to an application that contains satisfactory evidence that the Hispanic-serving institution has entered into or will enter into a collaborative arrangement with at least one local educational agency or community-based organization to provide such agency or organization with assistance (from funds other than funds provided under this subchapter) in reducing dropout rates for Hispanic students, improving rates of academic achievement for Hispanic students, and increasing the rates at which Hispanic secondary school graduates enroll in higher education.

(e) Eligibility data

The Secretary shall use the most recent and relevant data concerning the number and percentage of students receiving need-based assistance under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42 in making eligibility determinations and shall advance the base-year for the determinations forward following each annual grant cycle.

(Pub. L. 89-329, title V, § 521, formerly § 511, as added Pub. L. 105-244, title V, § 501, Oct. 7, 1998, 112 Stat. 1770; renumbered § 521 and amended Pub. L. 110-315, title V, §§ 502(a)(2), (b)(2), 503, Aug. 14, 2008, 122 Stat. 3331, 3333.)

PRIOR PROVISIONS

A prior section 1103, Pub. L. 89-329, title V, § 511, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 674, established program of grants for National Teacher Academies, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 1103, Pub. L. 89-329, title V, § 511, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1496, set forth statement of purpose for former part A of this subchapter relating to midcareer teacher training for nontraditional students, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 1103, Pub. L. 89-329, title V, § 513, Nov. 8, 1965, 79 Stat. 1256; Pub. L. 90-35, § 3(a)(3), (c)-(f), June 29, 1967, 81 Stat. 85, 86; Pub. L. 91-230, title VIII, §§ 803, 804(c), (d), 805(b), Apr. 13, 1970, 84 Stat. 190, 191; Pub. L. 93-380, title VIII, § 835(a)(2), (3), Aug. 21, 1974, 88 Stat. 605; Pub. L. 94-482, title I, §§ 151(a)(5)(C), 152(b)-(d), Oct. 12, 1976, 90 Stat. 2152, 2153; Pub. L. 96-374, title V, § 502(a)-(d), title XIII, § 1391(a)(1), Oct. 3, 1980, 94 Stat. 1459, 1503, related to recruitment, enrollment, training, etc., of members for program, prior to repeal by Pub. L. 97-35, title V, § 587(a)(2), Aug. 13, 1981, 95 Stat. 480.

A prior section 521 of Pub. L. 89-329 was classified to section 1104 of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 521 of Pub. L. 89-329 was classified to section 1105 of this title, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 521 of Pub. L. 89-329 was classified to section 1111 of this title, prior to repeal by Pub. L. 94-482.

AMENDMENTS

2008—Subsec. (b)(1)(A). Pub. L. 110-315, § 503, substituted “subsection (c)” for “subsection (b)”.

Subsec. (c)(6). Pub. L. 110-315, § 502(b)(2), made technical amendment to reference in original act which appears in text as reference to section 1103e of this title.

§ 1103a. Waiver authority and reporting requirement

(a) Waiver requirements; need-based assistance students

The Secretary may waive the requirements set forth in section 1101a(a)(2)(A)(i) of this title in the case of an institution—

(1) that is extensively subsidized by the State in which the institution is located and charges low or no tuition;

(2) that serves a substantial number of low-income students as a percentage of the institution's total student population;

(3) that is contributing substantially to increasing higher education opportunities for educationally disadvantaged, underrepresented, or minority students, who are low-income individuals;

(4) which is substantially increasing higher educational opportunities for individuals in rural or other isolated areas which are unserved by postsecondary institutions; or

(5) wherever located, if the Secretary determines that the waiver will substantially increase higher education opportunities appropriate to the needs of Hispanic Americans.

(b) Waiver determinations; expenditures

(1) Waiver determinations

The Secretary may waive the requirements set forth in section 1101a(a)(2)(A)(ii) of this title if the Secretary determines, based on persuasive evidence submitted by the institution, that the institution's failure to meet the requirements is due to factors which, when used in the determination of compliance with the requirements, distort such determination, and that the institution's designation as an eligible institution under part A of this subchapter is otherwise consistent with the purposes of this subchapter.

(2) Expenditures

The Secretary shall submit to Congress every other year a report concerning the institutions that, although not satisfying the requirements of section 1101a(a)(2)(A)(ii) of this title, have been determined to be eligible institutions under part A of this subchapter. Such report shall—

(A) identify the factors referred to in paragraph (1) that were considered by the Secretary as factors that distorted the determination of compliance with clauses (i) and (ii) of section 1101a(a)(2)(A) of this title; and

(B) contain a list of each institution determined to be an eligible institution under part A of this subchapter including a statement of the reasons for each such determination.

(Pub. L. 89-329, title V, § 522, formerly § 512, as added Pub. L. 105-244, title V, § 501, Oct. 7, 1998, 112 Stat. 1772; renumbered § 522, Pub. L. 110-315, title V, § 502(a)(2), Aug. 14, 2008, 122 Stat. 3331.)

PRIOR PROVISIONS

A prior section 1103a, Pub. L. 89-329, title V, §512, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 674, related to eligible recipients, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 1103a, Pub. L. 89-329, title V, §512, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1496, related to selection procedures for grants to institutions offering midcareer teacher training for nontraditional students, prior to the general amendment of this subchapter by Pub. L. 102-325.

A prior section 522 of Pub. L. 89-329 was classified to section 1104a of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 522 of Pub. L. 89-329 was classified to section 1105a of this title, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 522 of Pub. L. 89-329 was classified to section 1112 of this title, prior to repeal by Pub. L. 94-482.

§ 1103b. Application review process**(a) Review panel**

All applications submitted under this subchapter by Hispanic-serving institutions shall be read by a panel of readers composed of individuals who are selected by the Secretary and who include individuals representing Hispanic-serving institutions. The Secretary shall ensure that no individual assigned under this section to review any application has any conflict of interest with regard to the application that might impair the impartiality with which the individual conducts the review under this section.

(b) Instruction

All readers selected by the Secretary shall receive thorough instruction from the Secretary regarding the evaluation process for applications submitted under this subchapter that are consistent with the provisions of this subchapter, including—

- (1) an enumeration of the factors to be used to determine the quality of applications submitted under this subchapter; and
- (2) an enumeration of the factors to be used to determine whether a grant should be awarded for a project under this subchapter, the amount of any such grant, and the duration of any such grant.

(c) Recommendations of panel

In awarding grants under this subchapter, the Secretary shall take into consideration the recommendations of the panel made under subsection (a) of this section.

(d) Notification

Not later than June 30 of each year, the Secretary shall notify each Hispanic-serving institution making an application under this subchapter of—

- (1) the scores given the institution by the panel pursuant to this section;
- (2) the recommendations of the panel with respect to such application; and
- (3) the reasons for the decision of the Secretary in awarding or refusing to award a grant under this subchapter, and any modifications, if any, in the recommendations of the panel made by the Secretary.

(Pub. L. 89-329, title V, §523, formerly §513, as added Pub. L. 105-244, title V, §501, Oct. 7, 1998,

112 Stat. 1772; renumbered §523, Pub. L. 110-315, title V, §502(a)(2), Aug. 14, 2008, 122 Stat. 3331.)

PRIOR PROVISIONS

A prior section 1103b, Pub. L. 89-329, title V, §513, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 674, related to use of funds, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 1103b, Pub. L. 89-329, title V, §513, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1497, related to review of applications for grants, prior to the general amendment of this subchapter by Pub. L. 102-325.

A prior section 523 of Pub. L. 89-329 was classified to section 1104b of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 523 of Pub. L. 89-329 was classified to section 1105b of this title, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 523 of Pub. L. 89-329 was classified to section 1113 of this title, prior to repeal by Pub. L. 94-482.

§ 1103c. Cooperative arrangements**(a) General authority**

The Secretary may make grants to encourage cooperative arrangements with funds available to carry out this subchapter, between Hispanic-serving institutions eligible for assistance under this subchapter, and between such institutions and institutions not receiving assistance under this subchapter, for the activities described in sections 1101b and 1102b of this title so that the resources of the cooperating institutions might be combined and shared in order to achieve the purposes of this subchapter, to avoid costly duplicative efforts, and to enhance the development of Hispanic-serving institutions.

(b) Priority

The Secretary shall give priority to grants for the purposes described under subsection (a) of this section whenever the Secretary determines that the cooperative arrangement is geographically and economically sound or will benefit the applicant Hispanic-serving institution.

(c) Duration

Grants to Hispanic-serving institutions having a cooperative arrangement may be made under this section for a period determined under section 1101d of this title.

(Pub. L. 89-329, title V, §524, formerly §514, as added Pub. L. 105-244, title V, §501, Oct. 7, 1998, 112 Stat. 1773; renumbered §524 and amended Pub. L. 110-315, title V, §§502(a)(2), 504, Aug. 14, 2008, 122 Stat. 3331, 3333.)

PRIOR PROVISIONS

A prior section 1103c, Pub. L. 89-329, title V, §514, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 675, related to applications for grants, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 1103c, Pub. L. 89-329, title V, §514, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1497, related to amount of grants to institutions offering midcareer teacher training for nontraditional students, prior to the general amendment of this subchapter by Pub. L. 102-325.

A prior section 524 of Pub. L. 89-329 was classified to section 1104c of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 524 of Pub. L. 89-329 was classified to section 1105c of this title, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 524 of Pub. L. 89-329 was classified under section 1114 of this title, prior to repeal by Pub. L. 94-482.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-315, §504, substituted “sections 1101b and 1102b” for “section 1101b”.

§ 1103d. Assistance to institutions under other programs

(a) Assistance eligibility

Each Hispanic-serving institution that the Secretary determines to be an institution eligible under this subchapter may be eligible for waivers in accordance with subsection (b) of this section.

(b) Waiver applicability

(1) In general

Subject to, and in accordance with, regulations promulgated for the purpose of this section, in the case of any application by a Hispanic-serving institution referred to in subsection (a) of this section for assistance under any programs specified in paragraph (2), the Secretary is authorized, if such application is otherwise approvable, to waive any requirement for a non-Federal share of the cost of the program or project, or, to the extent not inconsistent with other law, to give, or require to be given, priority consideration of the application in relation to applications from other institutions.

(2) Programs

The provisions of this section shall apply to any program authorized by subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42 or section 1124 of this title.

(c) Limitation

The Secretary shall not waive, under subsection (b) of this section, the non-Federal share requirement for any program for applications which, if approved, would require the expenditure of more than 10 percent of the appropriations for the program for any fiscal year.

(Pub. L. 89-329, title V, §525, formerly §515, as added Pub. L. 105-244, title V, §501, Oct. 7, 1998, 112 Stat. 1773; renumbered §525, Pub. L. 110-315, title V, §502(a)(2), Aug. 14, 2008, 122 Stat. 3331.)

PRIOR PROVISIONS

A prior section 1103d, Pub. L. 89-329, title V, §515, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 676, related to State delegations to National Teacher Academies, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 1103d, Pub. L. 89-329, title V, §515, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1497, required reports to Secretary from institutions receiving grants, prior to the general amendment of this subchapter by Pub. L. 102-325.

A prior section 525 of Pub. L. 89-329 was classified to section 1104d of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 525 of Pub. L. 89-329 was classified to section 1105d of this title, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 525 of Pub. L. 89-329 was classified to section 1115 of this title, prior to repeal by Pub. L. 94-482.

§ 1103e. Limitations

The funds appropriated under section 1103g of this title may not be used—

(1) for a school or department of divinity or any religious worship or sectarian activity;

(2) for an activity that is inconsistent with a State plan for desegregation of higher education applicable to a Hispanic-serving institution;

(3) for an activity that is inconsistent with a State plan of higher education applicable to a Hispanic-serving institution; or

(4) for purposes other than the purposes set forth in the approved application under which the funds were made available to a Hispanic-serving institution.

(Pub. L. 89-329, title V, §526, formerly §516, as added Pub. L. 105-244, title V, §501, Oct. 7, 1998, 112 Stat. 1774; renumbered §526 and amended Pub. L. 110-315, title V, §502(a)(2), (b)(3), Aug. 14, 2008, 122 Stat. 3331, 3333.)

PRIOR PROVISIONS

A prior section 1103e, Pub. L. 89-329, title V, §516, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 676, related to selection of participants in National Teacher Academies, prior to the general amendment of this subchapter by Pub. L. 105-244.

A prior section 526 of Pub. L. 89-329 was classified to section 1104e of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 526 of Pub. L. 89-329 was classified to section 1116 of this title, prior to repeal by Pub. L. 94-482.

AMENDMENTS

2008—Pub. L. 110-315, §502(b)(3), made technical amendment to reference in original act which appears in text as reference to section 1103g of this title.

§ 1103f. Penalties

Whoever, being an officer, director, agent, or employee of, or connected in any capacity with, any recipient of Federal financial assistance or grant pursuant to this subchapter embezzles, willfully misapplies, steals, or obtains by fraud any of the funds that are the subject of such grant or assistance, shall be fined not more than \$10,000 or imprisoned for not more than 2 years, or both.

(Pub. L. 89-329, title V, §527, formerly §517, as added Pub. L. 105-244, title V, §501, Oct. 7, 1998, 112 Stat. 1774; renumbered §527, Pub. L. 110-315, title V, §502(a)(2), Aug. 14, 2008, 122 Stat. 3331.)

PRIOR PROVISIONS

A prior section 1103f, Pub. L. 89-329, title V, §517, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 677, related to evaluation of system of National Teacher Academies, prior to the general amendment of this subchapter by Pub. L. 105-244.

A prior section 527 of Pub. L. 89-329 was classified to section 1104f of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 527 of Pub. L. 89-329 was classified to section 1117 of this title, prior to repeal by Pub. L. 94-482.

§ 1103g. Authorizations of appropriations

(a) Authorizations

(1) Parts A and C

There are authorized to be appropriated to carry out parts A and C \$175,000,000 for fiscal

year 2009 and such sums as may be necessary for each of the five succeeding fiscal years.

(2) Part B

There are authorized to be appropriated to carry out part B \$100,000,000 for fiscal year 2009 and such sums as may be necessary for each of the five succeeding fiscal years.

(b) Use of multiple year awards

In the event of a multiple year award to any Hispanic-serving institution under this subchapter, the Secretary shall make funds available for such award from funds appropriated for this subchapter for the fiscal year in which such funds are to be used by the institution.

(Pub. L. 89-329, title V, § 528, formerly § 518, as added Pub. L. 105-244, title V, § 501, Oct. 7, 1998, 112 Stat. 1774; renumbered § 528 and amended Pub. L. 110-315, title V, §§ 502(a)(2), 505, Aug. 14, 2008, 122 Stat. 3331, 3333.)

PRIOR PROVISIONS

A prior section 1103g, Pub. L. 89-329, title V, § 518, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 677, authorized appropriations for National Teacher Academies program, prior to the general amendment of this subchapter by Pub. L. 105-244.

A prior section 528 of Pub. L. 89-329 was classified to section 1104g of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 528 of Pub. L. 89-329 was classified to section 1118 of this title, prior to repeal by Pub. L. 92-318.

Prior sections 1104 to 1104k, 1105 to 1105i, 1106 to 1106g, and 1107 were omitted in the general amendment of this subchapter by Pub. L. 105-244.

Section 1104, Pub. L. 89-329, title V, § 521, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 677, related to purpose of Paul Douglas Teacher Scholarship program and provided that scholarships be referred to as “Paul Douglas Teacher Scholarships”.

A prior section 1104, Pub. L. 89-329, title V, § 514, Nov. 8, 1965, 79 Stat. 1257; Pub. L. 90-35, § 3(a)(3), (g)(1), June 29, 1967, 81 Stat. 85, 86; Pub. L. 90-575, title II, § 232, Oct. 16, 1968, 82 Stat. 1039; Pub. L. 91-230, title VIII, §§ 804(e), 805(c), Apr. 13, 1970, 84 Stat. 191, 192; Pub. L. 93-380, title VIII, § 835(a)(4), Aug. 21, 1974, 88 Stat. 605; Pub. L. 94-482, title I, § 152(e), Oct. 12, 1976, 90 Stat. 2153; Pub. L. 96-374, title V, § 502(e), title XIII, § 1391(a)(1), Oct. 3, 1980, 94 Stat. 1459, 1503, set forth provisions respecting compensation of program members, prior to repeal by Pub. L. 97-35, title V, § 587(a)(2), Aug. 13, 1981, 95 Stat. 480, eff. Oct. 1, 1982.

Section 1104a, Pub. L. 89-329, title V, § 522, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 677, related to allocation among States.

Section 1104b, Pub. L. 89-329, title V, § 523, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 678, related to State applications for grants.

Section 1104c, Pub. L. 89-329, title V, § 524, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 680, related to amount and duration of scholarships and relation to other assistance.

Section 1104d, Pub. L. 89-329, title V, § 525, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 680; amended Pub. L. 103-208, § 2(j)(2), Dec. 20, 1993, 107 Stat. 2480, related to selection of Paul Douglas Teacher Scholars.

Section 1104e, Pub. L. 89-329, title V, § 526, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 681, related to scholarship conditions.

Section 1104f, Pub. L. 89-329, title V, § 527, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 681, related to scholarship repayment provisions.

Section 1104g, Pub. L. 89-329, title V, § 528, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 681, related to exceptions to repayment provisions.

Section 1104h, Pub. L. 89-329, title V, § 529, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 682, related to Federal administration of State programs and judicial review.

Section 1104i, Pub. L. 89-329, title V, § 530, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 682, related to evaluation of scholarship recipients.

Section 1104j, Pub. L. 89-329, title V, § 530A, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 683; amended Pub. L. 103-208, § 2(j)(3), Dec. 20, 1993, 107 Stat. 2481, related to designation of shortage areas.

Section 1104k, Pub. L. 89-329, title V, § 530B, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 683, authorized appropriations for Paul Douglas Teacher Scholarship program.

Section 1105, Pub. L. 89-329, title V, § 531, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 684, related to purpose of Christa McAuliffe fellowship program and provided that fellowship recipients be known as “Christa McAuliffe fellows”.

A prior section 1105, Pub. L. 89-329, title V, § 521, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1498, provided that the purpose of former part B of this subchapter was to encourage partnerships between institutions of higher education and secondary schools serving low-income students, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 1105, Pub. L. 89-329, title V, § 515, Nov. 8, 1965, 79 Stat. 1257; Pub. L. 90-35, § 3(h), June 29, 1967, 81 Stat. 87; Pub. L. 90-83, § 10(b), Sept. 11, 1967, 81 Stat. 223, related to applicability of other provisions of laws to members of the Teacher Corps, prior to repeal by Pub. L. 97-35, title V, § 587(a)(2), Aug. 13, 1981, 95 Stat. 480, eff. Oct. 1, 1982.

Section 1105a, Pub. L. 89-329, title V, § 532, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 684, authorized grants to State education agencies for Christa McAuliffe fellowship program.

A prior section 1105a, Pub. L. 89-329, title V, § 522, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1498, related to partnership agreements between institutions of higher education and secondary schools serving low-income students, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1105b, Pub. L. 89-329, title V, § 533, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 684, related to award and use of Christa McAuliffe fellowships.

A prior section 1105b, Pub. L. 89-329, title V, § 523, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1498, related to grants to encourage partnerships between institutions of higher education and secondary schools serving low-income students, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1105c, Pub. L. 89-329, title V, § 534, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 685, related to selection of Christa McAuliffe fellows.

A prior section 1105c, Pub. L. 89-329, title V, § 524, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1499, related to application for grants to encourage the partnership between institutions of higher education and secondary schools serving low-income students, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1105d, Pub. L. 89-329, title V, § 535, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 685; amended Pub. L. 103-208, § 2(j)(4), Dec. 20, 1993, 107 Stat. 2481, related to evaluation of applications.

A prior section 1105d, Pub. L. 89-329, title V, § 525, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1499, related to the community college pilot project, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1105e, Pub. L. 89-329, title V, § 536, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 686, related to fellowship repayment provisions.

Section 1105f, Pub. L. 89-329, title V, § 537, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 686; amended Pub. L. 103-208, § 2(j)(5), Dec. 20, 1993, 107 Stat. 2481, related to Secretary’s responsibilities.

Section 1105g, Pub. L. 89-329, title V, § 538, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 686, related to State applications for grants.

Section 1105h, Pub. L. 89-329, title V, § 539, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 687, related to evaluation of Christa McAuliffe fellows and their impact.

Section 1105i, Pub. L. 89-329, title V, § 540, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 687, authorized appropriations to carry out Christa McAuliffe fellowship program.

Section 1106, Pub. L. 89-329, title V, § 541, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 687, authorized Teacher Corps program.

A prior section 1106, Pub. L. 89-329, title V, § 516, Nov. 8, 1965, 79 Stat. 1258, related to supervision and control of members by local educational agencies, prior to repeal by Pub. L. 97-35, title V, § 587(a)(2), Aug. 13, 1981, 95 Stat. 480, eff. Oct. 1, 1982.

Section 1106a, Pub. L. 89-329, title V, § 542, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 688, related to use of funds.

Section 1106b, Pub. L. 89-329, title V, § 543, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 689, related to selection of Teacher Corps members.

Section 1106c, Pub. L. 89-329, title V, § 544, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 690, related to State applications for funds.

Section 1106d, Pub. L. 89-329, title V, § 545, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 690; amended Pub. L. 103-208, § 2(j)(6), Dec. 20, 1993, 107 Stat. 2481, related to Teacher Corps scholarships.

Section 1106e, Pub. L. 89-329, title V, § 546, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 691, related to scholarship conditions.

Section 1106f, Pub. L. 89-329, title V, § 547, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 693, related to publication and recruitment.

Section 1106g, Pub. L. 89-329, title V, § 548, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 693, authorized appropriations for Teacher Corps program.

Section 1107, Pub. L. 89-329, title V, § 551, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 693; amended Pub. L. 103-227, title X, § 1013, Mar. 31, 1994, 108 Stat. 265, related to National Board for Professional Teaching Standards.

A prior section 1107, Pub. L. 89-329, title V, § 531, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1500, related to purpose and authority for professional development resource centers program, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 1107, Pub. L. 89-329, title V, § 517, Nov. 8, 1965, 79 Stat. 1258; Pub. L. 90-35, § 3(a)(3), June 29, 1967, 81 Stat. 85, prohibited members of the Teacher Corps from acting as replacements for teachers, prior to repeal by Pub. L. 97-35, title V, § 587(a)(2), Aug. 13, 1981, 95 Stat. 480, eff. Oct. 1, 1982.

Prior sections 1107a to 1107d were omitted in the general amendment of this subchapter by Pub. L. 102-325.

Section 1107a, Pub. L. 89-329, title V, § 532, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1501, related to geographical distribution of grants to establish and operate professional development resource centers.

Another prior section 1107a, Pub. L. 89-329, title V, § 517A, as added Pub. L. 90-35, § 3(i), June 29, 1967, 81 Stat. 87, related to teaching children of migratory agricultural workers, prior to repeal by Pub. L. 97-35, title V, § 587(a)(2), Aug. 13, 1981, 95 Stat. 480, eff. Oct. 1, 1982.

Section 1107b, Pub. L. 89-329, title V, § 533, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1501, related to grant requirements for professional development resource centers.

Section 1107c, Pub. L. 89-329, title V, § 534, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1502, related to requirement for professional development policy boards.

Section 1107d, Pub. L. 89-329, title V, § 535, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat.

1502, related to submission and approval of applications for grants to establish and operate professional development resource centers.

Prior sections 1108 to 1108g were repealed by Pub. L. 102-325, title V, § 501(b), July 23, 1992, 106 Stat. 719, effective July 1, 1995.

Section 1108, Pub. L. 89-329, title V, § 552, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 698, provided that subpart 2 of former part D of this subchapter could be cited as the “Alternative Routes to Teacher Certification and Licensure Act of 1992”.

A prior section 1108, Pub. L. 89-329, title V, § 518, as added Pub. L. 90-35, § 4, June 29, 1967, 81 Stat. 87; amended Pub. L. 90-575, title II, §§ 231(a), 233(a), Oct. 16, 1968, 82 Stat. 1039; Pub. L. 92-318, title I, §§ 141(a)(1)(B), (c)(1)(D), (2)(A), 143(a)(1), June 23, 1972, 86 Stat. 284-286, authorized a program for making grants to States to alleviate teacher shortages, prior to repeal by Pub. L. 94-482, title I, § 151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1108a, Pub. L. 89-329, title V, § 553, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 698, provided congressional findings concerning alternative teacher certification and licensure.

Section 1108b, Pub. L. 89-329, title V, § 554, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 698, stated purpose of subpart 2 of former part D of this subchapter.

Section 1108c, Pub. L. 89-329, title V, § 555, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 699, provided for allotments of funds to States.

Section 1108d, Pub. L. 89-329, title V, § 556, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 699; amended Pub. L. 103-382, title II, § 261(i)(2), Oct. 20, 1994, 108 Stat. 3929, related to State applications for grants under subpart 2 of former part D of this subchapter.

Section 1108e, Pub. L. 89-329, title V, § 557, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 700, outlined permissible uses of funds.

Section 1108f, Pub. L. 89-329, title V, § 558, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 700, defined “State” for purposes of subpart 2 of former part D of this subchapter.

Section 1108g, Pub. L. 89-329, title V, § 559, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 700, authorized appropriations for fiscal year 1993 to carry out subpart 2 of former part D of this subchapter.

Prior sections 1109 to 1109e, 1110 to 1110e, 1111 to 1111h, 1112 to 1112e, and 1113 were omitted in the general amendment of this subchapter by Pub. L. 105-244.

Section 1109, Pub. L. 89-329, title V, § 561, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 700, set forth purpose of class size demonstration grant program.

A prior section 1109, Pub. L. 89-329, title V, § 541, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100 Stat. 1503; amended Pub. L. 100-50, § 16(1), June 3, 1987, 101 Stat. 358; Pub. L. 101-226, § 20, Dec. 12, 1989, 103 Stat. 1936, related to purpose of, and regulations under, leadership in educational administration development program, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 1109, Pub. L. 89-329, title V, § 519, as added Pub. L. 90-35, § 4, June 29, 1967, 81 Stat. 88; amended Pub. L. 90-575, title II, § 234(a), Oct. 16, 1968, 82 Stat. 1039; Pub. L. 92-318, title I, § 141(c)(2)(B), June 23, 1972, 86 Stat. 285, authorized allotments and reallocations to States, etc., for grants for implementation of program and set forth criteria for determination of amounts, prior to repeal by Pub. L. 94-482, title I, § 151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1109a, Pub. L. 89-329, title V, § 562, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 700, authorized program of grants for demonstration projects that demonstrate methods of reducing class size.

A prior section 1109a, Pub. L. 89-329, title V, § 542, as added Pub. L. 99-498, title V, § 501(a), Oct. 17, 1986, 100

Stat. 1504; amended Pub. L. 100-50, §16(2), June 3, 1987, 101 Stat. 358, related to allocation of appropriations for leadership in educational administration development program, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1109b, Pub. L. 89-329, title V, §563, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 701, related to program requirements.

A prior section 1109b, Pub. L. 89-329, title V, §543, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1504; amended Pub. L. 100-50, §16(3), June 3, 1987, 101 Stat. 358, related to technical assistance centers under leadership in educational administration development program, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1109c, Pub. L. 89-329, title V, §564, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 701, related to applications for grants.

A prior section 1109c, Pub. L. 89-329, title V, §544, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1505; amended Pub. L. 100-50, §16(4), June 3, 1987, 101 Stat. 359, related to general criteria for grants under leadership in educational administration development program, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1109d, Pub. L. 89-329, title V, §565, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 702, related to evaluation of demonstration projects and dissemination of information.

A prior section 1109d, Pub. L. 89-329, title V, §545, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1505; amended Pub. L. 100-50, §16(5), June 3, 1987, 101 Stat. 359, defined terms for purposes of leadership in educational administration development program, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1109e, Pub. L. 89-329, title V, §565A, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 702, authorized appropriations for class size demonstration grant program.

Section 1110, Pub. L. 89-329, title V, §566, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 703, stated purpose of middle school teaching demonstration grant program.

A prior section 1110, Pub. L. 89-329, title V, §520, as added Pub. L. 90-35, §4, June 29, 1967, 81 Stat. 88; amended Pub. L. 90-575, title II, §233(b), Oct. 16, 1968, 82 Stat. 1039; Pub. L. 92-318, title I, §§143(a)(2), (3), 144(a), 145(a), 146(a), June 23, 1972, 86 Stat. 286, 287, set forth requirements for State plans as prerequisite for receipt of grant by State, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1110a, Pub. L. 89-329, title V, §567, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 703, defined “developmentally appropriate” and “middle school”.

A prior section 1110a, Pub. L. 89-329, title V, §520A, as added Pub. L. 90-35, §4, June 29, 1967, 81 Stat. 89, set forth manner of repayment of amounts expended by each State for implementation of State plan, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1110b, Pub. L. 89-329, title V, §568, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 703, authorized program of grants for development of model programs with specialized focus on teaching grades 6 through 9.

A prior section 1110b, Pub. L. 89-329, title V, §520B, as added Pub. L. 90-35, §4, June 29, 1967, 81 Stat. 89, set forth requirements for disapproval of State plans by Commissioner, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1110c, Pub. L. 89-329, title V, §569, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 703, related to applications for grants.

A prior section 1110c, Pub. L. 89-329, title V, §520C, as added Pub. L. 90-35, §4, June 29, 1967, 81 Stat. 90, set forth procedure for judicial review of determinations of

Commissioner with respect to State plan, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1110d, Pub. L. 89-329, title V, §570, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 704, related to submission of reports and other information by grant recipients.

Section 1110e, Pub. L. 89-329, title V, §570A, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 704, authorized appropriations for middle school teaching demonstration grant program.

Section 1111, Pub. L. 89-329, title V, §571, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 704, stated purpose of new teaching careers grant program.

A prior section 1111, Pub. L. 89-329, title V, §551, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1506; amended Pub. L. 100-50, §17(a), June 3, 1987, 101 Stat. 359, set forth purpose of Congressional teacher scholarship program, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 1111, Pub. L. 89-329, title V, §521, Nov. 8, 1965, 79 Stat. 1258; Pub. L. 90-35, §5(b), June 29, 1967, 81 Stat. 90; Pub. L. 90-247, title VII, §704(a), Jan. 2, 1968, 81 Stat. 820; Pub. L. 90-575, title II, §235, Oct. 16, 1968, 82 Stat. 1040; Pub. L. 91-230, title VIII, §806(a), Apr. 13, 1970, 84 Stat. 192; Pub. L. 92-318, title I, §146A, June 23, 1972, 86 Stat. 287, set forth Congressional declaration of policy and statement of purpose, and definitions for fellowship program for teachers and related educational personnel, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1111a, Pub. L. 89-329, title V, §572, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 704; amended Pub. L. 103-382, title III, §391(e)(5), Oct. 20, 1994, 108 Stat. 4022, authorized grants to States.

A prior section 1111a, Pub. L. 89-329, title V, §552, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1506, related to allocation of funds among the States for Congressional teacher scholarships, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1111b, Pub. L. 89-329, title V, §573, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 705, related to agreements with grant recipients.

A prior section 1111b, Pub. L. 89-329, title V, §553, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1506; amended Pub. L. 100-50, §17(b), June 3, 1987, 101 Stat. 359, related to grant applications for Congressional teacher scholarships, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1111c, Pub. L. 89-329, title V, §574, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 705, related to applications for grants.

A prior section 1111c, Pub. L. 89-329, title V, §554, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1508, related to amount and duration of assistance under Congressional teacher fellowships and relationship of such assistance to other assistance, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1111d, Pub. L. 89-329, title V, §575, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 706, related to requirements of recipients of student financial assistance under programs.

A prior section 1111d, Pub. L. 89-329, title V, §555, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1508, related to the selection of Congressional teacher scholars, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1111e, Pub. L. 89-329, title V, §576, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 707, related to special considerations in awarding grants.

A prior section 1111e, Pub. L. 89-329, title V, §556, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1509, related to conditions for Congressional teacher scholarships, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1111f, Pub. L. 89-329, title V, §576A, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 707, related to use of funds by grant recipients.

A prior section 1111f, Pub. L. 89-329, title V, §557, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1509; amended Pub. L. 100-50, §17(c), June 3, 1987, 101 Stat. 359, related to Congressional teacher scholarship repayment provisions, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1111g, Pub. L. 89-329, title V, §576B, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 707, defined terms.

A prior section 1111g, Pub. L. 89-329, title V, §558, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1509; amended Pub. L. 100-50, §17(d), June 3, 1987, 101 Stat. 359, related to exceptions to Congressional teacher scholarship repayment provisions, prior to the general amendment of this subchapter by Pub. L. 102-325.

Section 1111h, Pub. L. 89-329, title V, §576C, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 708, authorized appropriations for new teaching careers grant program.

A prior section 1111h, Pub. L. 89-329, title V, §559, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1510, related to Federal administration of State programs and judicial review of Congressional teacher scholarship programs, prior to the general of this subchapter by Pub. L. 102-325.

Section 1112, Pub. L. 89-329, title V, §577, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 708, stated purpose of grant program to encourage minority students to become teachers.

A prior section 1112, Pub. L. 89-329, title V, §522, Nov. 8, 1965, 79 Stat. 1258; Pub. L. 90-35, §5(c), June 29, 1967, 81 Stat. 91; Pub. L. 90-247, title VII, §704(b), Jan. 2, 1968, 81 Stat. 820, authorized Commissioner to award fellowships for graduate study by teaching personnel, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1112a, Pub. L. 89-329, title V, §578, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 708, authorized grants for partnerships.

Section 1112b, Pub. L. 89-329, title V, §579, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 708, related to partnership agreements.

Section 1112c, Pub. L. 89-329, title V, §580, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 709, related to applications for teacher partnership program grants.

Section 1112d, Pub. L. 89-329, title V, §580A, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 710, authorized grants for teacher training and placement programs.

Section 1112e, Pub. L. 89-329, title V, §580B, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 710; amended Pub. L. 103-208, §2(j)(7), Dec. 20, 1993, 107 Stat. 2481, authorized appropriations for programs under sections 1112a and 1112d of this title.

Section 1113, Pub. L. 89-329, title V, §581, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 711; amended Pub. L. 103-208, §2(j)(8), Dec. 20, 1993, 107 Stat. 2481; Pub. L. 103-382, title III, §391(e)(6), (7), Oct. 20, 1994, 108 Stat. 4022, 4023, authorized grants for partnerships to carry out National Mini Corps Program.

A prior section 1113, Pub. L. 89-329, title V, §561, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1510, related to purpose of Christa McAuliffe fellowship program and to designation of fellowships under such program, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 1113, Pub. L. 89-329, title V, §523, Nov. 8, 1965, 79 Stat. 1259; Pub. L. 90-35, §5(d), June 29, 1967, 81 Stat. 91; Pub. L. 90-575, title II, §236, Oct. 16, 1968, 82 Stat. 1040, required allocation of fellowships to institutions with approved programs and set forth criteria for approval of programs, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Prior sections 1113a to 1113e were omitted in the general amendment of this subchapter by Pub. L. 102-325.

Section 1113a, Pub. L. 89-329, title V, §562, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1511, related to use of funds for Christa McAuliffe fellowship program.

Section 1113b, Pub. L. 89-329, title V, §563, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1511, related to award, distribution, and use of Christa McAuliffe fellowships.

Section 1113c, Pub. L. 89-329, title V, §564, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1511, related to selection of Christa McAuliffe teacher fellowships.

Section 1113d, Pub. L. 89-329, title V, §565, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1511, related to evaluation of applications for Christa McAuliffe fellowships.

Section 1113e, Pub. L. 89-329, title V, §566, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1512, related to repayment of Christa McAuliffe fellowships.

Prior sections 1114, 1114a, 1115, 1116, and 1117 to 1117c were omitted in the general amendment of this subchapter by Pub. L. 105-244.

Section 1114, Pub. L. 89-329, title V, §586, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 712; amended Pub. L. 103-382, title III, §391(e)(8), (9), Oct. 20, 1994, 108 Stat. 4023, authorized demonstration grants for critical language and area studies.

A prior section 1114, Pub. L. 89-329, title V, §524, Nov. 8, 1965, 79 Stat. 1259; Pub. L. 90-35, §5(e), June 29, 1967, 81 Stat. 91; Pub. L. 90-575, title II, §237, Oct. 16, 1968, 82 Stat. 1040, set forth prerequisites for approval of graduate programs to develop and strengthen training of educational personnel, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1114a, Pub. L. 89-329, title V, §587, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 714, related to development of foreign language and culture instructional materials.

Section 1115, Pub. L. 89-329, title V, §591, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 714, authorized grants for development of model programs for educational excellence, teacher training, and educational reform.

A prior section 1115, Pub. L. 89-329, title V, §571, as added Pub. L. 99-498, title V, §501(a), Oct. 17, 1986, 100 Stat. 1512, related to State task forces on teacher training, prior to the general amendment of this subchapter by Pub. L. 102-325.

Another prior section 1115, Pub. L. 89-329, title V, §525, Nov. 8, 1965, 79 Stat. 1260; Pub. L. 90-35, §5(f), June 29, 1967, 81 Stat. 91; Pub. L. 90-575, title II, §238, Oct. 16, 1968, 82 Stat. 1040; Pub. L. 92-318, title I, §141(c)(3), June 23, 1972, 86 Stat. 285, authorized Commissioner to pay stipends to individuals awarded fellowships and additional amounts to institutions of higher education for support of programs, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1116, Pub. L. 89-329, title V, §593, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 715, authorized grants for development of model programs of development and training of faculty who teach students with disabilities.

A prior section 1116, Pub. L. 89-329, title V, §526, Nov. 8, 1965, 79 Stat. 1260; Pub. L. 92-318, title I, §131(d)(2)(C), June 23, 1972, 86 Stat. 260, prohibited award of fellowships for study at divinity school or department, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1117, Pub. L. 89-329, title V, §596, as added Pub. L. 102-325, title V, §501(a), July 23, 1992, 106 Stat. 716, authorized grants for programs to recruit and train students for careers in early childhood education and violence counseling.

A prior section 1117, Pub. L. 89-329, title V, §527, Nov. 8, 1965, 79 Stat. 1260, set forth conditions imposed upon fellowship recipient, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, eff. Sept. 30, 1976.

Section 1117a, Pub. L. 89-329, title V, § 597, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 717; amended Pub. L. 103-208, § 2(j)(9), Dec. 20, 1993, 107 Stat. 2481, authorized grants for early childhood staff training and professional enhancement.

Section 1117b, Pub. L. 89-329, title V, § 598, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 719, required reports by grant recipients.

Section 1117c, Pub. L. 89-329, title V, § 599, as added Pub. L. 102-325, title V, § 501(a), July 23, 1992, 106 Stat. 719, authorized appropriations for activities described in sections 1117 and 1117a of this title.

A prior section 1118, Pub. L. 89-329, title V, § 528, Nov. 8, 1965, 79 Stat. 1260; Pub. L. 90-35, § 5(g), June 29, 1967, 81 Stat. 91; Pub. L. 90-247, title VII, § 704(c)(1), Jan. 2, 1968, 81 Stat. 820; Pub. L. 90-575, title II, § 231(a), (b)(2), Oct. 16, 1968, 82 Stat. 1039; Pub. L. 92-318, title I, § 141(a)(1)(B), June 23, 1972, 86 Stat. 284, authorized appropriations for fiscal years 1966 to 1974 to enable persons who were awarded fellowships prior to July 1, 1972, to complete their study under fellowships, prior to repeal by Pub. L. 92-318, title I, § 141(c)(1)(E), June 23, 1972, 86 Stat. 285, eff. on and after July 1, 1972.

Prior sections 1119 to 1119e-5 provided for teacher training programs, training for elementary and secondary school teachers to teach handicapped children in areas with a shortage, coordination of education professional development, Carl D. Perkins Scholarship program, and National Talented Teacher Fellowship program, prior to the general amendment of this subchapter by Pub. L. 99-498.

Section 1119 Pub. L. 89-329, title V, § 531, as added Pub. L. 94-482, title I, § 153, formerly § 153(a), Oct. 12, 1976, 90 Stat. 2154, renumbered Pub. L. 95-43, § 1(b)(5), June 15, 1977, 91 Stat. 218; amended Pub. L. 95-561, title XIII, § 1321(a), Nov. 1, 1978, 92 Stat. 2362; Pub. L. 96-49, § 6(b), Aug. 13, 1979, 93 Stat. 353; Pub. L. 96-374, title V, § 501(b), 503(a), Oct. 3, 1980, 94 Stat. 1459, authorized appropriations for fiscal years 1981 to 1985 to carry out teacher training programs.

Another prior section 1119, Pub. L. 89-329, title V, § 531, as added Pub. L. 90-35, § 6, June 29, 1967, 81 Stat. 91; amended Pub. L. 90-247, title VII, § 704(d), Jan. 2, 1968, 81 Stat. 820; Pub. L. 92-318, title I, §§ 147(a), 148(a), June 23, 1972, 86 Stat. 287, authorized training and retraining programs for education personnel other than higher education personnel, prior to repeal by Pub. L. 94-482, title I, § 151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, effective Sept. 30, 1976.

Section 1119a, Pub. L. 89-329, title V, § 532, as added Pub. L. 94-482, title I, § 153, formerly § 153(a), Oct. 12, 1976, 90 Stat. 2154, renumbered Pub. L. 95-43, § 1(b)(5), June 15, 1977, 91 Stat. 218; amended Pub. L. 95-561, title XIII, § 1321(b), Nov. 1, 1978, 92 Stat. 2363; Pub. L. 96-374, title V, § 503(b), (c), title XIII, § 1391(a)(1), (2), Oct. 3, 1980, 94 Stat. 1459, 1460, 1503, related to grants, functions, etc., of teacher centers, prior to repeal by Pub. L. 97-35, title V, § 587(a)(2), Aug. 13, 1981, 95 Stat. 480, eff. Oct. 1, 1982.

Another prior section 1119a, Pub. L. 89-329, title V, § 532, as added Pub. L. 92-318, title IV, § 451(b), June 23, 1972, 86 Stat. 344, authorized teachers for Indian children as part of the training and retraining program, prior to repeal by Pub. L. 94-482, title I, § 151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, effective Sept. 30, 1976.

Another prior section 1119a, Pub. L. 89-329, title V, § 532, as added Pub. L. 90-35, § 6, June 29, 1967, 81 Stat. 92; amended Pub. L. 90-575, title II, § 231(a), Oct. 16, 1968, 82 Stat. 1039; Pub. L. 92-318, title I, § 141(a)(1)(B), June 23, 1972, 86 Stat. 284, authorized appropriations for fiscal years 1969 to 1972, prior to repeal by section 141(c)(1)(F) of Pub. L. 92-318, effective on and after July 1, 1972.

Section 1119a-1, Pub. L. 89-329, title V, § 533, as added Pub. L. 94-482, title I, § 153, Oct. 12, 1976, 90 Stat. 2155; amended Pub. L. 95-43, § 1(a)(42), (b)(5), June 15, 1977, 91 Stat. 217, 218; Pub. L. 96-374, title V, § 504, Oct. 3, 1980, 94 Stat. 1460; Pub. L. 97-300, title I, § 183, Oct. 13, 1982, 96 Stat. 1357, related to grants for training higher education personnel.

Another prior section 1119a-1, Pub. L. 89-329, title V, § 533, as added Pub. L. 90-575, title II, § 239, Oct. 16, 1968,

82 Stat. 1040, required an equitable distribution with respect to geography for training programs, prior to repeal by Pub. L. 94-482, title I, § 151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152, effective Sept. 30, 1976.

Section 1119b, Pub. L. 89-329, title V, § 541, as added Pub. L. 96-374, title V, § 505(a), Oct. 3, 1980, 94 Stat. 1461, authorized grants to State educational agencies to train teachers for handicapped children.

Another prior section 1119b, Pub. L. 89-329, title V, § 541, as added Pub. L. 90-35, § 6, June 29, 1967, 81 Stat. 93, authorized grants or contracts with institutions of higher education for training programs and projects for higher education personnel, prior to repeal by Pub. L. 94-482, title I, § 151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152.

Section 1119b-1, Pub. L. 89-329, title V, § 542, as added Pub. L. 96-374, title V, § 505(a), Oct. 3, 1980, 94 Stat. 1462, related to applications for grants for training teachers for handicapped children.

Another prior section 1119b-1, Pub. L. 89-329, title V, § 542, as added Pub. L. 90-35, § 6, June 29, 1967, 81 Stat. 93, authorized the payment of stipends to persons participating in authorized training programs, prior to repeal by Pub. L. 94-482, title I, § 151(a)(4)(A), Oct. 12, 1976, 90 Stat. 2152.

Section 1119b-2, Pub. L. 89-329, title V, § 543, as added Pub. L. 96-374, title V, § 505(a), Oct. 3, 1980, 94 Stat. 1462, provided for stipends and allowances for participants in program of training teachers for handicapped children.

Another prior section 1119b-2, Pub. L. 89-329, title V, § 543, as added Pub. L. 90-35, § 6, June 29, 1967, 81 Stat. 93; amended Pub. L. 90-575, title II, § 231(a), Oct. 16, 1968, 82 Stat. 1039; Pub. L. 92-318, title I, § 141(a)(1)(B), June 23, 1972, 86 Stat. 284, authorized appropriations for fiscal years 1969 to 1972, prior to repeal by Pub. L. 92-318, title I, § 141(c)(1)(G), June 23, 1972, 86 Stat. 285.

Section 1119b-3, Pub. L. 89-329, title V, § 544, as added Pub. L. 96-374, title V, § 505(a), Oct. 3, 1980, 94 Stat. 1463, set out conditions for maintaining fellowships in training teachers for handicapped children.

Section 1119b-4, Pub. L. 89-329, title V, § 545, as added Pub. L. 96-374, title V, § 505(a), Oct. 3, 1980, 94 Stat. 1463, defined "special education".

Section 1119b-5, Pub. L. 89-329, title V, § 546, as added Pub. L. 96-374, title V, § 505(a), Oct. 3, 1980, 94 Stat. 1463, authorized appropriations for fiscal years 1981 to 1985 to carry out grant program for training teachers for handicapped children.

Section 1119c, Pub. L. 89-329, title V, § 551, as added Pub. L. 96-374, title V, § 506, Oct. 3, 1980, 94 Stat. 1463, stated Congressional findings concerning Federal programs to train education professionals.

Another prior section 1119c, Pub. L. 89-329, title V, § 551, as added Pub. L. 90-576, title II, § 201, Oct. 16, 1968, 82 Stat. 1091, set forth Congressional declaration of purpose, prior to repeal by Pub. L. 94-482, title I, § 151(a)(4)(C), title II, § 204(c)(1), Oct. 12, 1976, 90 Stat. 2152, 2215.

Section 1119c-1, Pub. L. 89-329, title V, § 552, as added Pub. L. 96-374, title V, § 506, Oct. 3, 1980, 94 Stat. 1464, stated Congressional declaration of policy concerning Federal programs to support education professional development.

Another prior section 1119c-1, Pub. L. 89-329, title V, § 552, as added Pub. L. 90-576, title II, § 201, Oct. 16, 1968, 82 Stat. 1092, related to leadership development awards, prior to repeal by Pub. L. 94-482, title I, § 151(a)(4)(C), title II, § 204(c)(1), Oct. 12, 1976, 90 Stat. 2152, 2215.

Section 1119c-2, Pub. L. 89-329, title V, § 553, as added Pub. L. 96-374, title V, § 506, Oct. 3, 1980, 94 Stat. 1464; amended Pub. L. 99-386, title I, § 103(b), Aug. 22, 1986, 100 Stat. 821, established Office of Education Professional Development.

Another prior section 1119c-2, Pub. L. 89-329, title V, § 553, as added Pub. L. 90-576, title II, § 201, Oct. 16, 1968, 82 Stat. 1093, related to exchange programs, institutes, and in-service education for vocational education teachers, supervisors, coordinators, and administrators, prior to repeal by Pub. L. 94-482, title I, § 151(a)(4)(C), title II, § 204(c)(1), Oct. 12, 1976, 90 Stat. 2152, 2215.

Section 1119c-3, Pub. L. 89-329, title V, §554, as added Pub. L. 90-576, title II, §201, Oct. 16, 1968, 82 Stat. 1094, related to familiarizing teachers with new curricular methods, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(C), title II, §204(c)(1), Oct. 12, 1976, 90 Stat. 2152, 2215.

Section 1119c-4, Pub. L. 89-329, title V, §555, as added Pub. L. 94-482, title I, §151(a)(4)(B), Oct. 12, 1976, 90 Stat. 2152, authorized appropriation for the fiscal years ending prior to Oct. 1, 1977, prior to repeal by Pub. L. 94-482, title I, §151(a)(4)(C), title II, §204(c)(1), Oct. 12, 1976, 90 Stat. 2152, 2215.

An identical section 555 of Pub. L. 89-329, as added Pub. L. 94-482, title II, §201(q), Oct. 12, 1976, 90 Stat. 2169, was also classified to section 1119c-4, and was repealed by Pub. L. 94-482, title II, §204(c)(1), Oct. 12, 1976, 90 Stat. 2215.

Another prior section 1119c-4, Pub. L. 89-329, title V, §555, as added by Pub. L. 90-576, title II, §201, Oct. 16, 1968, 82 Stat. 1094; amended by Pub. L. 91-230, title VII, §708, Apr. 13, 1970, 84 Stat. 189, authorized appropriations for fiscal years 1969 to 1972, prior to repeal by Pub. L. 92-318, title I, §141(c)(1)(H), June 23, 1972, 86 Stat. 285.

Section 1119d, Pub. L. 89-329, title V, §561, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2894, stated purpose and authorized appropriations for Carl D. Perkins Scholarship program.

Section 1119d-1, Pub. L. 89-329, title V, §562, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2894, provided for allocation among States of funds appropriated for Carl D. Perkins Scholarship program.

Section 1119d-2, Pub. L. 89-329, title V, §563, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2894, provided for form, content, and processing of applications for grants to States under Carl D. Perkins Scholarship program.

Section 1119d-3, Pub. L. 89-329, title V, §564, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2896, related to amount and duration of Carl D. Perkins Scholarships and the relationship of Scholarships to other forms of assistance.

Section 1119d-4, Pub. L. 89-329, title V, §565, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2896, provided for selection of Carl D. Perkins Scholars.

Section 1119d-5, Pub. L. 89-329, title V, §566, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2897, provided conditions for continued receipt of Carl D. Perkins Scholarship assistance.

Section 1119d-6, Pub. L. 89-329, title V, §567, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2897, provided for repayment of Carl D. Perkins Scholarship assistance in case of noncompliance with program agreement.

Section 1119d-7, Pub. L. 89-329, title V, §568, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2897, provided exceptions to repayment requirements.

Section 1119d-8, Pub. L. 89-329, title V, §569, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2898, related to Federal administration of State programs to make available Carl D. Perkins Scholarships and judicial review thereof.

Section 1119e, Pub. L. 89-329, title V, §571, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2898, stated purpose of establishing national fellowship program for outstanding teachers.

Section 1119e-1, Pub. L. 89-329, title V, §572, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2898, authorized appropriations for fiscal years 1986 to 1989 for fellowships to outstanding teachers.

Section 1119e-2, Pub. L. 89-329, title V, §573, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2899, provided for program of talented teacher fellowships.

Section 1119e-3, Pub. L. 89-329, title V, §574, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2899, provided for selection of recipients of talented teacher fellowships.

Section 1119e-4, Pub. L. 89-329, title V, §575, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2899, provided for submission and evaluation of applications for talented teacher fellowship assistance.

Section 1119e-5, Pub. L. 89-329, title V, §576, as added Pub. L. 98-558, title VII, §701, Oct. 30, 1984, 98 Stat. 2900, provided for repayment of awards to Federal Government in case of fraud or gross noncompliance.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-315, §505, amended subsec. (a) generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out this subchapter \$62,500,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.”

SUBCHAPTER VI—INTERNATIONAL EDUCATION PROGRAMS

CODIFICATION

Title VI of the Higher Education Act of 1965, comprising this subchapter, was originally enacted by Pub. L. 89-329, title VI, Nov. 8, 1965, 79 Stat. 1261; amended Pub. L. 89-752, Nov. 3, 1966, 80 Stat. 1240; Pub. L. 90-575, Oct. 16, 1968, 82 Stat. 1014; Pub. L. 92-318, June 23, 1972, 86 Stat. 235; Pub. L. 94-482, Oct. 12, 1976, 90 Stat. 2081; Pub. L. 95-180, Nov. 15, 1977, 91 Stat. 1372; Pub. L. 96-49, Aug. 13, 1979, 93 Stat. 351. Title VI (except for part A) is shown herein, however, as having been added by Pub. L. 96-374, title VI, §601(a), Oct. 3, 1980, 94 Stat. 1464, without reference to those intervening amendments because of the extensive revision of the title's provisions by Pub. L. 96-374.

PART A—INTERNATIONAL AND FOREIGN LANGUAGE STUDIES

CODIFICATION

Part A of title VI of the Higher Education Act of 1965, comprising this part, was originally enacted by Pub. L. 89-329, title VI, Nov. 8, 1965, 79 Stat. 1261; amended Pub. L. 89-752, Nov. 3, 1966, 80 Stat. 1240; Pub. L. 90-575, Oct. 16, 1968, 82 Stat. 1014; Pub. L. 92-318, June 23, 1972, 86 Stat. 235; Pub. L. 94-482, Oct. 12, 1976, 90 Stat. 2081; Pub. L. 95-180, Nov. 15, 1977, 91 Stat. 1372; Pub. L. 96-49, Aug. 13, 1979, 93 Stat. 351; Pub. L. 96-374, Oct. 3, 1980, 94 Stat. 1367; Pub. L. 97-375, Dec. 21, 1982, 96 Stat. 1819; Pub. L. 99-386, Aug. 22, 1986, 100 Stat. 821; Pub. L. 99-498, Oct. 17, 1986, 100 Stat. 1268; Pub. L. 100-50, June 3, 1987, 101 Stat. 335; Pub. L. 102-325, July 23, 1992, 106 Stat. 448; Pub. L. 103-208, Dec. 20, 1993, 107 Stat. 2457. Part A is shown herein, however, as having been added by Pub. L. 105-244, title VI, §601, Oct. 7, 1998, 112 Stat. 1774, without reference to those intervening amendments because of the extensive revision of part A by Pub. L. 105-244.

§ 1121. Findings; purposes; consultation; survey

(a) Findings

Congress finds as follows:

(1) The security, stability, and economic vitality of the United States in a complex global era depend upon American experts in and citizens knowledgeable about world regions, foreign languages, and international affairs, as well as upon a strong research base in these areas.

(2) Advances in communications technology and the growth of regional and global problems make knowledge of other countries and the ability to communicate in other languages more essential to the promotion of mutual understanding and cooperation among nations and their peoples.

(3) Dramatic changes in the world's geopolitical and economic landscapes are creating needs for American expertise and knowledge about a greater diversity of less commonly taught foreign languages and nations of the world.